

ORIGINALCLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2021 DEC 14 AM 10:08

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Daro B Gross
400 N Evary St, #131432
Dallas, TX 75313
(408) 348-9110
darogross@gmail.com

Plaintiff in Pro Se

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS

DALLAS DIVISION

3-21CV3107-L

Daro B Gross,

CASE NO. _____

Plaintiff,

COMPLAINT

v.

JURY TRIAL DEMANDED

Jocelyn Michels Stufflebean,
John Stufflebean,
David I. Gross,
Mieke Strand
Lauren E. Jones,
Julie A. Amede,
Joseph F. Derrough,
William Hoyt,
Bart Call,

Defendants.

SUMMARY OF THE ACTION

Plaintiff brings this Complaint against Defendants operating a Federal RICO criminal enterprise (18 USC § 1962) that murdered Plaintiff's mother, seized millions of dollars of Plaintiff property, issued death threats to force Plaintiff to leave his home and place of business and flee

from California to Texas, and continues to seek to prevent Plaintiff from recovering through the courts with threats of violence against Plaintiff, extortion, and abuse of process.

JURISDICTION AND VENUE

1. The parties are diverse and the amount exceeds \$75,000. (28 USC § 1332)
2. The action arises under federal statutes of the United States. (28 USC § 1331)
3. This Court has jurisdiction over Plaintiff's related state claims pursuant to the doctrine of supplemental jurisdiction. (28 U.S.C. § 1367)

PARTIES OF THE CASE

4. Plaintiff Daro B. Gross is a resident of Dallas, Texas at 400 N Evary St, #131432, Dallas, TX 75313 (email: darogross@gmail.com).
5. Defendant Jocelyn Michels Stufflebean, is an employee of Adobe Inc. and resident of San Diego, California, at 8462 Hinterland Drive, San Diego, CA 92127 (email: jmichels@adobe.com, jocelynmichels@yahoo.com).
6. Defendant John Stufflebean, is an employee of the City of San Diego and resident of San Diego, California, at 8462 Hinterland Drive, San Diego, CA 92127 (email: jstufflebean@gmail.com, phone: (408) 807-9824).
7. Defendant David I. Gross, is a photographer with last known residence in Los Gatos, California (email: davidgross@me.com).
8. Defendant Mieke Strand, is a photographer with last known residence in Los Gatos, California (email: mieke@miekestrand.com).
9. Defendant Lauren E. Jones, is an attorney with Gallagher, Reedy, and Jones of Los Gatos, California at 19A North Santa Cruz Avenue, Los Gatos, CA 95030 (email: grj@grjlaw.com)

10. Defendant Julie A. Amende, is the Department 13 judge of the Santa Clara County Probate Court in San Jose, California (email: Department13@scscourt.org).
11. Defendant Joseph F. Derrough, is an Obstetrician-Gynecologist that works in Hospice & Palliative Medicine for Sutter Health in San Jose, California with last known address of 276 Hospital Pkwy, San Jose, CA 95119 (phone: (408) 972-3000).
12. William Hoyt, is a police officer with the Los Gatos Monte Sereno Police department and works in Los Gatos, California (email: hhoyt@losgatosca.gov).
13. Defendant Bart Call, is a realtor with Sereno Group, Inc., at the Los Gatos Northpoint Office at 634 N. Santa Cruz Ave. #100, Los Gatos, CA 95030. (cell 408-483-9632, office 408-429-2140, bart@sereno.com).

STATEMENT OF THE FACTS

14. On 24 April 2021, Plaintiff self-quarantined with COVID-19, and was not present to care for his mother, Winifred Gross, Survivor Trustee, Defendants took advantage of Plaintiff absence to murder Plaintiff's mother, Winifred Gross, Survivor Trustee of a multi-million dollar family trust (18 USC § 1111).
15. Defendants failed to notify Plaintiff of the death of Winifred Gross until 27 April 2021, the day the body was cremated in order to prevent Plaintiff from requesting an autopsy.
16. Defendant David Gross, Plaintiff's brother, notified Plaintiff by text message on 27 April 2021 that his mother died: "She was ready to go: she could barely walk, her memory was really failing, she was often in pain, and she had had enough. I'll miss her."
17. Defendant David Gross failed to mention the photographs of Winifred Gross enjoying herself cross-country skiing with her dog. Contemporaneous photos show that Winifred Gross was not "ready to go": Winifred Gross was enjoying life with her new dog, Ani, a golden-doodle.

18. The death certificate lists the cause of death as "Heart Failure" and "Hypertension." Winifred Gross had a pacemaker and was taking blood thinners which cause hypotension, low blood pressure, not hypertension.
19. Defendants killed Plaintiff's mother, Winifred Gross, because Defendants wanted her money, and Winifred Gross was inconveniently not going to die for a long time.
20. Within days of Winifred Gross's death and before the trust was served on the Plaintiff, Defendants seized all Plaintiff trust assets, including Plaintiff residence, which Defendant David Gross and Defendant Mieke Strand proceeded to prepare for sale.
21. When Plaintiff sought to recover his residential property on 5 May 2021, Defendant William Hoyt telephoned Plaintiff to tell him that he would harm Plaintiff if Plaintiff interfered with Defendants' scheme (18 USC § 373).
22. Plaintiff promptly moved to Texas, where he assumed Defendants could not harm him, and pursued the recovery of his trust property by filing a case in the Santa Clara County Probate Court.
23. On 8 September 2021, the Santa Clara County Probate Court heard Plaintiff petition to recover trust property from Defendant Jocelyn Stufflebean, Successor Trustee. The petition was heard unopposed by Defendant Jocelyn Stufflebean who neither attended the remote hearing nor was represented by counsel.
24. What Plaintiff did not know was that Defendant Lauren Jones was a close friend of the presiding judge, Defendant Julie Amende. Defendant Lauren Jones and Defendant Julie Amende colluded to obstruct the 8 September 2021 court hearing (18 USC § 1505).
25. The Probate Court has refused to communicate with Plaintiff since the 8 September 2021 hearing (18 USC § 1505).
26. On 25 October 2021, Defendant Jones sent threats by email and through the mail demanding Plaintiff dismiss the Probate Court case (18 USC § 1343, 18 USC § 876(d)), 18 USC § 1341).

27. On 6 December 2021, Plaintiff received an email from the Defendants stating that the probate court record had been altered to prevent further litigation by Plaintiff (18 USC § 1505).
28. Plaintiff original petition demands statutory compensation pursuant to CA CCP § 850 and CA CCP § 857 for property misappropriated by Defendant Jocelyn Stufflebean, Successor Trustee, in the amount of \$15,908,700.
29. At the time the petition was heard, Petitioner had not seen the official death certificate and was not aware that Defendants has murdered his mother, Winifred Gross, the Survivor Trustee; Plaintiff had proceeding under the assumption that the Defendant beneficiaries David Gross and Jocelyn Stufflebean had a lawful interest in the trust.
30. Pursuant to CA CPC 250(a), Defendants David Gross and Jocelyn Stufflebean do not have the right of any interest or power of appointment, themselves or by nomination, in the trust (CA CPC 250(a) A person who feloniously and intentionally kills the decedent is not entitled to any of the following: (1) Any property, interest, or benefit under a will of the decedent, or a trust created by or for the benefit of the decedent or in which the decedent has an interest, including any general or special power of appointment conferred by the will or trust on the killer and any nomination of the killer as executor, trustee, guardian, or conservator or custodian made by the will or trust.)
31. Plaintiff is the sole beneficiary of the trust with an estimated value of \$12,000,000.
(Defendants have never provided Plaintiff with a trust accounting.)
32. Plaintiff claims a statutory claim pursuant to CA CCP § 850 and CA CCP § 857 of \$36,000,000 that is tripled pursuant to 18 USC § 1964(c) to \$108,000,000.

CLAIM I: WRIT OF EXECUTION TO COLLECT DEFENDANT DEBT

33. Plaintiff requests writs of execution pursuant to 28 USC § 2303 that Plaintiff may recover the \$108,000,000 owed by Defendants pursuant to CA CCP § 850, CA CCP § 857, and 18 USC § 1964(c).
34. Defendant Jocelyn Stufflebean has laundered some of the proceeds through Adobe Inc. stock options.
35. Defendants have laundered real property through sales to third-party buyers under California statute CA CCP § 697.740(a) which permits the sales of stolen real estate—in violation of Plaintiff 4th Amendment rights. (CA CCP § 697.740(a): A person who acquires an interest in the property under the law of this state for reasonably equivalent value without knowledge of the lien. For purposes of this subdivision, value is given for a transfer or encumbrance if, in exchange for the transfer or encumbrance, property is transferred or an antecedent debt is secured or satisfied.)
36. Defendant Lauren Jones claims to be in possession of \$1,018,949.46 that she alleges belongs to Plaintiff.
37. Defendant Jocelyn Stufflebean has sold real estate owned by the trust in the amount of \$5,000,000.
38. Defendant David Gross has sold real estate in the amount of \$3,000,000 with the assistance of Defendant Bart Call.
39. The remainder of the stolen property is presumed to be held in banks and brokerage firms.

CLAIM II: PUNITIVE DAMAGES

40. Plaintiff requests \$200,000,000 in punitive damages for Defendants “malicious disregard of Plaintiff rights”—civil rights and property rights.

JURY DEMANDED

41. Pursuant to Fed. R. Civ. P. 38(b), Plaintiff hereby demands a trial by jury of all issues so triable that are raised herein or which hereinafter may be raised in this action.

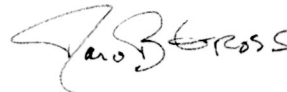
PRAYER FOR RELIEF

42. Plaintiff requests the court execute writs of execution for total of \$308,000,000 against Defendants.

43. Plaintiff requests the court provide that the writs of execution may be adjusted for inflation.

Dated: 12 December 2021

Submitted,

A handwritten signature in black ink, appearing to read 'Daro B Gross', with a stylized flourish at the end.

Daro B Gross
400 N Evary St, #131432
Dallas, TX 75313
(408) 348-9110
darogross@gmail.com

Plaintiff in Pro Se

EXHIBIT A. DEATH CERTIFICATE OF WINIFRED T. GROSS

CERTIFICATION OF VITAL RECORD

COUNTY of SANTA CLARA

SAN JOSE, CALIFORNIA

CERTIFICATE OF DEATH

3202143004227

1. NAME OF DECEASED - FIRST (Given)		2. MIDDLE		3. LAST (Family)	
WINIFRED		T		GROSS	
4. DATE OF BIRTH (month/day/year)					
04/29/1938					
5. AGE (in years)					
82					
6. SEX					
F					
7. PLACE OF BIRTH (month/day/year)					
04/23/2021					
8. HOUR					
1640					
9. BIRTH STATE/COUNTRY					
NEW YORK					
10. SOCIAL SECURITY NUMBER					
057-32-5739					
11. MARRIAGE STATUS (at time of death)					
WIDOWED					
12. RACE					
CAUCASIAN					
13. EDUCATION - highest completed					
MASTER'S					
14. US WAS DECEASED HISPANIC/LATINO/SPANISH? (if yes, see instructions on back)					
YES					
15. US WAS DECEASED ASIAN/PACIFIC ISLANDER? (if yes, see instructions on back)					
NO					
16. US WAS DECEASED NATIVE AMERICAN? (if yes, see instructions on back)					
NO					
17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIREE					
ATTORNEY					
18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.)					
LAW					
19. YEARS IN OCCUPATION					
12					
20. DECEASED'S RESIDENCE (Street and number, or location)					
15450 PALOS VERDES DRIVE					
21. CITY					
MONTE SERENO					
22. COUNTY					
SANTA CLARA					
23. ZIP CODE					
95030					
24. YEARS IN COUNTY					
50					
25. STATE/FOREIGN COUNTRY					
CA					
26. INFORMANT'S NAME, RELATIONSHIP					
DAVID GROSS, SON					
27. INFORMANT'S ADDRESS (Street and number, or place where informant is at work, school, etc.)					
15450 PALOS VERDES DRIVE, MONTE SERENO, CA 95030					
28. NAME OF SURVIVING SPOUSE/DECEASED'S FIRST					
-					
29. MIDDLE					
-					
30. LAST (BIRTH NAME)					
-					
31. NAME OF FATHER/IN-LAW (First)					
DAVID					
32. MIDDLE					
-					
33. LAST					
TOEPFER					
34. BIRTH STATE					
NY					
35. NAME OF MOTHER/IN-LAW (First)					
MARJORIE					
36. MIDDLE					
CLAIRE					
37. LAST (BIRTH NAME)					
REISS					
38. BIRTH STATE					
NY					
39. DEPOSITION DATE (month/day/year)					
04/28/2021					
40. PLACE OF FINAL DEPOSITION RESIDENCE OF DAVID GROSS					
15450 PALOS VERDES DRIVE, MONTE SERENO, CA 95030					
41. TYPE OF DEPOSITION					
CR/RES					
42. SIGNATURE OF DECEASED					
NOT EMBALMED					
43. LICENSE NUMBER					
-					
44. NAME OF FUNERAL ESTABLISHMENT					
SANTA CLARA FUNERAL & CREMATION SERVICE					
45. LICENSE NUMBER					
FD-2072					
46. SIGNATURE OF LOCAL REGISTRAR					
SARA H CODY, MD					
47. DATE (month/day/year)					
04/27/2021					
101. PLACE OF DEATH					
OWN RESIDENCE					
102. IF HOSPITAL, SPECIFY ONE					
<input type="checkbox"/> P <input type="checkbox"/> ORC <input type="checkbox"/> DOA <input type="checkbox"/> Hospice <input type="checkbox"/> Nursing Home/LTC <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other					
103. IF OTHER THAN HOSPITAL, SPECIFY ONE					
<input type="checkbox"/> P <input type="checkbox"/> ORC <input type="checkbox"/> DOA <input type="checkbox"/> Hospice <input type="checkbox"/> Nursing Home/LTC <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other					
104. COUNTY					
SANTA CLARA					
105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location)					
15450 PALOS VERDES DRIVE					
106. CITY					
MONTE SERENO					
107. CAUSE OF DEATH					
107a. IMMEDIATE CAUSE (First disease or condition resulting in death) 107b. UNDERLYING CAUSE (Disease or injury that initiated the events resulting in death)					
107a. HEART FAILURE 107b. HYPERTENSION					
108. DEATH REPORTED TO CORONER?					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
109. EMERGENCY PERFORMED?					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
110. AUTOPSY PERFORMED?					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
111. USED IN OBTAINING CAUSE?					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
112. OTHER DEATH-RELATED CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE (Given in 107)					
NONE					
113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date)					
NO					
114. IF FEMALE, PREGNANT IN LAST YEAR?					
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN					
115. SIGNATURE AND TITLE OF CERTIFIER					
JOSEPH DERROUGH M.D.					
116. LICENSE NUMBER					
G68897					
117. DATE (month/day/year)					
04/27/2021					
118. TYPE OF DEATH					
NATURAL					
119. TYPE OF DEATH					
NATURAL					
120. INQUIRY DATE (month/day/year)					
04/23/2021					
121. INQUIRY HOUR (24 hours)					
122. INQUIRY DATE (month/day/year)					
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132. INQUIRY DATE (month/day/year)					
04/23/2021					
133. INQUIRY HOUR (24 hours)					
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198. INQUIRY DATE (month/day/year)					
04/23/2021					
199. INQUIRY HOUR (24 hours)					
200. INQUIRY DATE (month/day/year)					
04/23/2021					

CERTIFIED COPY OF VITAL RECORDS
 STATE OF CALIFORNIA, COUNTY OF SANTA CLARA
 This is a true and exact reproduction of the document
 officially registered and placed on file in the Office of the
 Santa Clara County Clerk-Recorder.

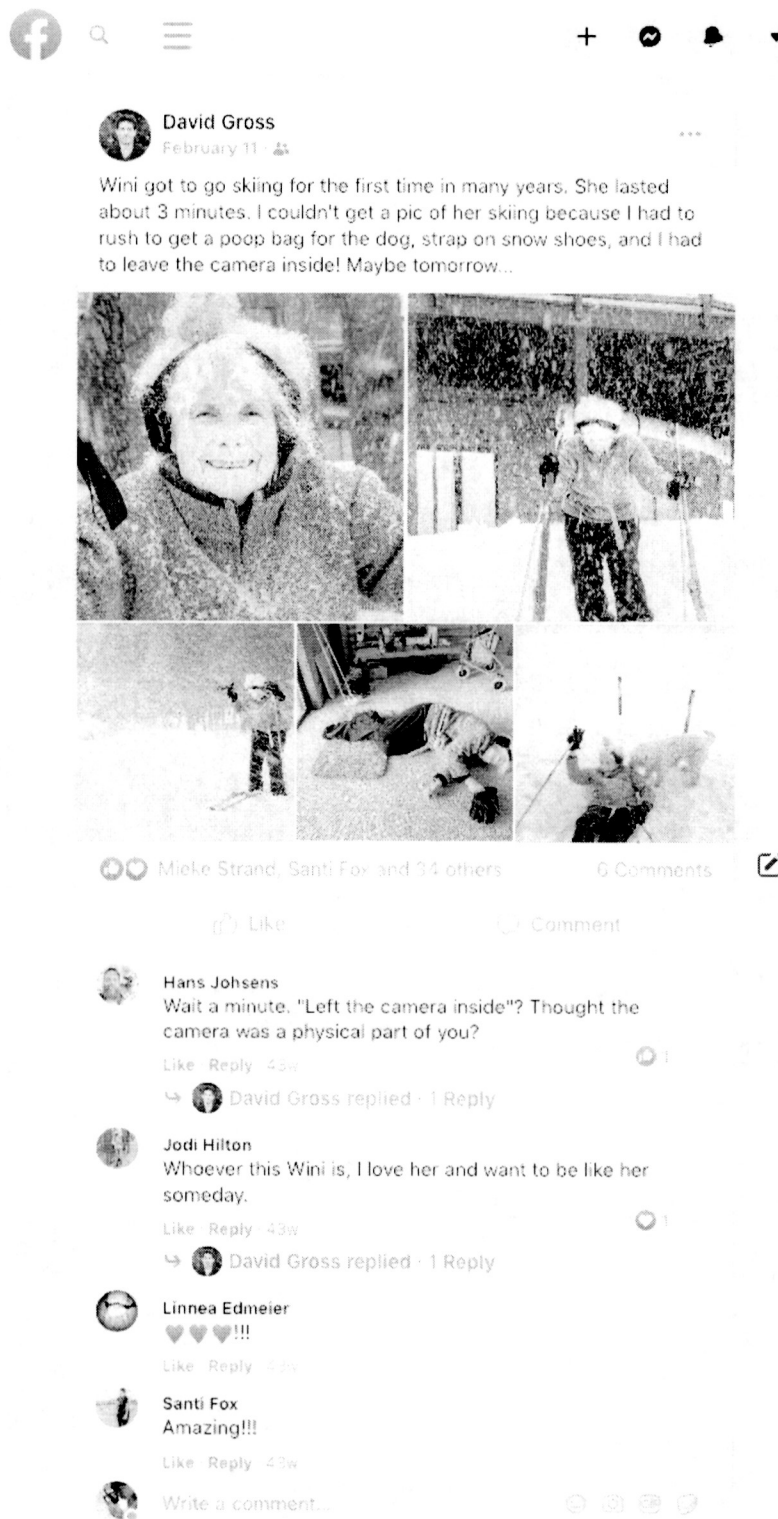
Regina Alcomendras
 REGINA ALCOMENDRAS
 COUNTY CLERK-RECORDER

DATE ISSUED JUN 30 2021

This copy is not valid unless prepared on an engraved paper, displaying the date, seal and signature of the County Clerk

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT B. PHOTOS OF WINIFRED T. GROSS BEFORE HER DEATH

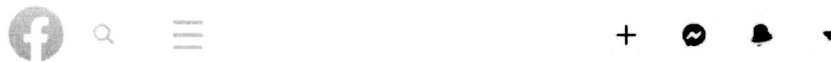












David Gross

February 14 · 🌐

...

Wini went snowshoeing yesterday because the snow was too sticky and thick for skis. We made it out almost fifty yards onto the lake! She decided to crawl the "hill" back to the house, but made it in under her own steam.

Ahni the dog became covered in snowballs, so if anyone has a solution for that, we'd like to hear it!



Mike Stang, Santi Fox and 2 others

3 Comments

👍 Like

💬 Comment



Santi Fox

Omg Ahni looks just like Wally 🐶

Brianne Nicole check out my grandmas dog!

Like · Reply · 43%



Jenni Symons

Kitchen whisk for the snowballs on the pup...works great.

Like · Reply · 42%



Susanne Oellinger

Die Beiden haben so viel Spass! 🐶

Like · Reply · See Translation · 42%



Write a comment...



















